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Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No. 09/124,179 08/985514
Filing Date December 5, 1997
First Named Inventor Polsner, D.
Group Art Unit 2152
Examiner Name Kang, P.
Attorney Docket No. 042390.P3919

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1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37. C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply 09/10/2002 SSITHIB1 00000025 09124179
- ii. ☐ Affidavit(s)/Declaration(s) 01 FC:179 740.00 DP
- iii. ☐ Information Disclosure Statement (IDS) 02 FC:102 84.00 DP
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 740.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

00000002 08985514

740.00
84.00 DP
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Adam Furst Registration No. (Attorney/Agent) 51,710
Signature [Signature] Date 8/30/02

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Nam (Print/Type) April Worley
Signature [Signature] Date 8/30/02

Docket No. 042390.P3919
Application No. 09/124,179

10/22/2002 SFORD1

01 FC:1801
02 FC:1201

Ad
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09
10/2002 SSITHIB1 00000025 09124179
-740.00 DP
01 FC:179
-84.00 DP



COPY OF PAPERS
ORIGINALLY FILED

PTO/SB/17(09-00)
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) 824.00

Complete If Known:

Application No. 08/985,514

Filing Date December 5, 1997

First Named Inventor Poisner

Group Art Unit 2152

Examiner Name Kang, P.

Attorney Docket No. 042390.P3919

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Technology Center 2100

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name _____

FIRST CLASS CERTIFICATE OF MAILING
(37 C.F.R. § 1.8 (a))

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17. I hereby certify that this correspondence is being deposited with the United States Postal Service for mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

2. ☒ Payment Enclosed:

☒ Check
____ Money Order
____ Other

On August 30, 2002
Date of Deposit

April Whaley
Name of Person Mailing Correspondence

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity	
Code	Fee (\$)	Code	Fee (\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80

Fee Description
Utility application filing fee
Design application filing fee
Plant filing fee
Reissue filing fee
Provisional application filing fee

Fee Paid

SUBTOTAL (1) \$ 0.00

2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	<u>12</u>	- 20** = <u>0</u>	X <u>18.00</u> = <u>0.00</u>	
Independent Claims	<u>4</u>	- 3** = <u>1</u>	X <u>84.00</u> = <u>84.00</u>	
Multiple Dependent				

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity	
Code	Fee (\$)	Code	Fee (\$)
103	18	203	9
102	84	202	42
104	280	204	140
109	84	209	42
110	18	210	9

Fee Description
Claims in excess of 20
Independent claims in excess of 3
Multiple dependent claim, if not paid
**Reissue independent claims over original patent
**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 84.00

Docket No. 042390.P3919
Application No. 08/985,514

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex-parte reexamination	
099	8,800	099	8,800	Request for inter partes reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	920	217	460	Extension for response within third month	
118	1,440	218	720	Extension for response within fourth month	
128	1,960	228	980	Extension for response within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee	
141	1,280	241	640	Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee	
142	1,280	242	640	Utility issue fee (or reissue)	
143	480	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	740.00
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$740.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Adam FurstSignature:  Date: 8/30/02Reg. Number: 51,710 Tel ph n Number: 303-740-1980